

1 **KEMP JONES, LLP**

2 Don Springmeyer (SBN 1021)
3 3800 Howard Hughes Parkway
4 17th Floor
5 Las Vegas, NV 89169
6 Telephone: (702) 385-6000
7 Email: d.springmeyer@kempjones.com

8
9 *Liaison Counsel for the Proposed Class*

10 **LABATON SUCHAROW LLP**

11 Jonathan Gardner (*pro hac vice* forthcoming)
12 Alfred L. Fatale III (admitted *pro hac vice*)
13 Jeffrey Dubbin (admitted *pro hac vice*)
14 Lisa Strejlau (admitted *pro hac vice*)
15 140 Broadway
16 New York, New York 10005
17 Telephone: (212) 907-0700
18 Facsimile: (212) 818-0477
19 Email: jgardner@labaton.com
20 afatale@labaton.com
21 jdubbin@labaton.com
22 lstrejlau@labaton.com

23
24 *Counsel for Lead Plaintiff and Lead Counsel*
25 *for the Proposed Class*

26 **UNITED STATES DISTRICT COURT**
27 **DISTRICT OF NEVADA**

28
29 Case No. 2:20-cv-01209-JCM-NJK

30 **CLASS ACTION**

31 **STIPULATION AND ORDER SETTING**
32 **BRIEFING SCHEDULE FOR**
33 **DEFENDANTS' MOTION(S) TO DISMISS**

34 **(First Request)**

35
36 *In re PlayAGS, Inc. Securities Litigation,*

STIPULATION

2 WHEREAS, Court-appointed Lead Plaintiff OKLAHOMA POLICE PENSION AND
3 RETIREMENT SYSTEM (“Oklahoma Police”) and Defendants PLAYAGS, INC., DAVID
4 LOPEZ, KIMO AKIONA, DAVID SAMBUR, DANIEL COHEN, ERIC PRESS, YVETTE
5 LANDAU, ADAM CHIBIB, GEOFF FREEMAN, CREDIT SUISSE SECURITIES (USA)
6 LLC, DEUTSCHE BANK SECURITIES INC., JEFFERIES LLC, MACQUARIE CAPITAL
7 (USA) INC., MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED,
8 CITIGROUP GLOBAL MARKETS INC., STIFEL, NICOLAUS & COMPANY
9 INCORPORATED, TRUIST SECURITIES, INC. (F/K/A SUNTRUST ROBINSON
10 HUMPHREY, INC.), NOMURA SECURITIES INTERNATIONAL, INC., ROTH CAPITAL
11 PARTNERS, LLC, UNION GAMING SECURITIES LLC, SIEBERT WILLIAMS SHANK &
12 CO., LLC (SUCCESSOR-BY-MERGER TO THE WILLIAMS CAPITAL GROUP, L.P.),
13 APOLLO GLOBAL SECURITIES, LLC, MORGAN STANLEY & CO. LLC, APOLLO
14 GLOBAL MANAGEMENT, LLC n/k/a Apollo Global Management, Inc., APOLLO GAMING
15 HOLDINGS, L.P., APOLLO INVESTMENT FUND VIII, L.P., and AP GAMING VOTECO,
16 LLC (collectively, “Defendants” and together with Oklahoma Police, the “Parties”) have met and
17 conferred regarding this stipulation;

18 WHEREAS, the Parties previously entered into a stipulation (ECF No. 39) regarding the
19 schedule in this case, which the Court entered on November 25, 2020;

20 WHEREAS, pursuant to that schedule, Lead Plaintiff filed its Consolidated Complaint
21 (ECF No. 49) on January 11, 2021;

22 WHEREAS, Lead Plaintiff filed an unopposed motion setting a time to file a Second
23 Consolidated Amended Complaint (“SAC”) (ECF No. 53), which the Court granted on February
24 23, 2021;

25 WHEREAS, pursuant to that schedule, Defendants' response(s) thereto will be due on or
26 before May 24, 2021;

1 WHEREAS, the Consolidated Complaint is more than 130 pages in length, alleging five
2 separate causes of action, and effective, concise argument on the Defendants' motions to dismiss
3 will require thoughtful briefing by the parties and coordination among Defendants; and

4 WHEREAS, Lead Plaintiff's and Defendants' briefing will occur during the summer
5 months and planned vacations;

6 IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rule of Civil
7 Procedure 15(a), by and between the attorneys for the Parties, as follows:

8 1. Lead Plaintiff shall have until July 23, 2021 to serve any opposition to any motion to
9 dismiss the SAC; and
10 2. Defendants shall have until September 13, 2021 to serve their reply or replies to any
11 such opposition(s).

12 This is the Parties' first stipulated request governing the schedule related to the above-
13 referenced matters.

14 **ORDER**

15 **IT IS SO ORDERED** May 21, 2021.

16 
17 UNITED STATES DISTRICT JUDGE

18
19
20
21
22
23
24
25
26
27
28

1 Dated: May 18, 2021.

2 **BROWNSTEIN HYATT FARBER**
3 **SCHRECK, LLP**

4 /s/ Kirk B. Lenhard

5 Kirk B. Lenhard, Esq. (Bar No. 1437)
6 100 N. City Parkway, Suite 1600
7 Las Vegas, NV 89106

8 **BAKER & HOSTETLER LLP**

9 Douglas W. Greene, Esq. (*pro hac vice*)
10 999 Third Avenue, Suite 3600
11 Seattle, WA 98104-4040

12 *Counsel for Defendants PlayAGS, Inc.,*
13 *David Lopez, Kimo Akiona, David Sambur,*
14 *Daniel Cohen, Eric Press, Yvette Landau,*
15 *Adam Chibib, and Geoff Freeman*

16 **BALLARD SPAHR LLP**

17 /s/ Maria A. Gall

18 Maria A. Gall, Esq. (Bar No. 14200)
19 1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

20 **ROPES & GRAY LLP**

21 Lisa H. Bebchick, Esq. (*pro hac vice*)
22 Erin R. Macgowan, Esq. (*pro hac vice*)
23 Gregg L. Weiner, Esq. (*pro hac vice*)
24 1211 Avenue of the Americas
25 New York, NY 10036-8704

26 *Counsel for Defendants Credit Suisse*
27 *Securities (USA) LLC, Deutsche Bank*
28 *Securities Inc., Jefferies LLC, Macquarie*
29 *Capital (USA) Inc., Merrill Lynch, Pierce,*
30 *Fenner & Smith Incorporated, Citigroup*
31 *Global Markets Inc., Stifel, Nicolaus &*
32 *Company, Incorporated, Truist Securities*
33 *Inc., Nomura Securities International, Inc.,*
34 *Roth Capital Partners, LLC, Union Gaming*
35 *Securities LLC, Siebert Williams Shank &*
36 *Co., LLC, Apollo Global Securities, LLC,*
37 *and Morgan Stanley & Co. LLC*

Respectfully submitted,

KEMP JONES, LLP

/s/ Don Springmeyer

Don Springmeyer, Esq. (Bar No. 1021)
3800 Howard Hughes Parkway
17th Floor
Las Vegas, NV 89169

Liaison Counsel for the Proposed Class

LABATON SUCHAROW LLP

Jonathan Gardner, Esq. (*pro hac vice* forthcoming)
Alfred L. Fatale III, Esq. (*pro hac vice*)
Jeffrey Dubbin, Esq. (*pro hac vice*)
Lisa Strejlau, Esq. (*pro hac vice*)
140 Broadway
New York, New York 10005

Counsel for Lead Plaintiff and Lead Counsel
for the Proposed Class

MORRIS LAW

/s/ Rosa Solis-Rainey

Steve Morris, Esq. (Bar No. 1543)
Rosa Solis-Rainey, Esq. (Bar No. 7921)
801 S. Rancho Dr., Ste. B4
Las Vegas, NV 89106

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

Andrew J. Ehrlich, Esq. (*pro hac vice*)
Caitlin E. Grusauskas, Esq. (*pro hac vice*)
1285 Avenue of the Americas
New York, NY 10019

Counsel for Defendants Apollo Global
Management, LLC n/k/a Apollo Global
Management, Inc., Apollo Gaming Holdings,
L.P., Apollo Investment Fund VIII, L.P., and AP
Gaming VoteCo, LLC